

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**DIANNE LODEN, individually and
on behalf of all wrongful death beneficiaries
of JEFFREY A. DAVIS**

PLAINTIFF

VS.

Civil Action No. 4:18cv118-DMB-JMV

**MISSISSIPPI DEPARTMENT OF
CORRECTIONS; CENTURION OF
MISSISSIPPI, LLC; and
DEFENDANTS DOES 1-10**

DEFENDANTS

**UNOPPOSED MOTION FOR ENTRY OF AGREED ORDER OF
DISMISSAL WITH PREJUDICE**

Plaintiff Dianne Loden (“Plaintiff”) moves under Federal Rule of Civil Procedure 41(a)(2) for entry of a proposed Agreed Order of Dismissal with Prejudice (“Agreed Order”), stating the following in support:

1. In this lawsuit, Centurion of Mississippi, LLC (“Centurion”) is the only remaining named defendant. The only other named party to appear, Defendant Mississippi Department of Corrections, was dismissed without prejudice on October 10, 2018. *See* [Doc. 17]. Centurion has not plead a counterclaim or crossclaim in this matter.
2. On October 1, 2019, Plaintiff and Centurion participated in a settlement conference. *See* [Doc. 52]. Plaintiff and Centurion have resolved the issues between them.
3. Consequently, Plaintiff wishes to dismiss this matter and therefore requests the Court enter the Agreed Order dismissing this action with prejudice. As represented below, Centurion consents to this request.
4. The Agreed Order will be submitted to the Court via email, in accordance with Local Uniform Civil Rule 7(b)(F).

5. Due to the simple nature of this Motion, Plaintiff respectfully requests the Court waive any obligation under the Local Uniform Civil Rules to file a separate memorandum of authorities in support of this Motion.

WHEREFORE, Plaintiff request that the Court enter the proposed Agreed Order of Dismissal with Prejudice that will be submitted to the Court via electronic mail.

Respectfully submitted, this 12th day of November, 2019.

/s/ Jefferson V. Hester

Jefferson V. Hester, MSB No. 104904

Jeffrey D. Leathers, MSB No. 100082

Attorneys for Plaintiff

AGREED TO BY:

/s/ Stevie F. Rushing

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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2019, I filed the foregoing via the Court system, which will deliver copies to all counsel of record.

/s/ Jefferson V. Hester
OF COUNSEL